

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NICHOLAS KNOPICK,
Plaintiff

v.

**JOHN J. CONNELLY, JR.; SUSAN M.
KADEL; JAMES, SMITH, DURKIN &
CONNELLY, L.L.P.; and
PHILIP A. DOWNEY,**
Defendants

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NO.: 1:09 CV 01287

JUDGE SYLVIA H. RAMBO

CIVIL ACTION - LAW

**JURY TRIAL DEMANDED
(Electronically Filed)**

**CERTIFICATE OF MERIT AS TO
JAMES, SMITH, DURKIN & CONNELLY, L.L.P.**

I, Dennis E. Boyle, Esquire, hereby certify that claims are raised under both subdivisions (a)(1) and (a)(2) of Pa.R.Civ.P. 1042.3. As to subdivision (a)(1), an appropriate licensed professional has supplied a written statement that there exists a reasonable probability that the care, skill or knowledge exercised by James, Smith, Durkin & Connelly, L.L.P. in the treatment, practice or work that is the subject of the Complaint fell outside acceptable professional standards and that conduct was a cause

in bringing about the harm. As to subdivision (a)(2), an appropriate licensed professional has supplied a written statement that there exists a reasonable probability that the care, skill or knowledge exercised or exhibited by other licensed professionals for whom James, Smith, Durkin & Connelly, L.L.P. is responsible, in the treatment, practice or work that is the subject of the Complaint, fell outside acceptable professional standards and that such conduct was a cause in bringing about the harm.

BOYLE, NEBLETT & WENGER

/s/ *Dennis E. Boyle*

Dennis E. Boyle, Esquire

Supreme Court I.D. No. 49618

Joshua M. Autry, Esquire

Supreme Court I.D. No. 208459

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Counsel For: Plaintiff

Dated: September 2, 2009

CERTIFICATE OF SERVICE

I hereby certify that on the date listed below I electronically filed the foregoing with the Court using the CM/ECF system, which sent notification of such filing to the following person(s) at the following email address(es):

Edwin A.D. Schwartz
[easchwartz@mdwcg.com](mailto: easchwartz@mdwcg.com)

And I hereby certify that I have mailed by United States First Class Mail the document to the following person(s) at the following address(es):

Philip A. Downey, Esquire
1555 Embreeville Road
Unionville, PA 19375

/s/ Penny A. Rogers
Penny A. Rogers, Paralegal

Dated: September 2, 2009